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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,136	04/27/2000	YURI HASEGAWA	1163-0271P	4078

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EXAMINER

DO, ANH HONG

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 06/03/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/530,136

Applicant(s)
Hasegawa et al.

Examiner
Anh Hong Do

Art Unit
2624



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 17, 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19 is/are rejected.
- 7) ☒ Claim(s) 18 and 20 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on Mar 17, 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3 6) ☐ Other:

Art Unit: 2624

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 3/17/2003 have been fully considered but they are not persuasive.

- * With respect to the IDS, the initialed copy of PTO-1449 is enclosed.

- * The proposed drawing correction has been approved.

- * Regarding the rejections, the Applicants contend the PAA does not anticipate the claimed limitations. In contrast to the contention, page 3, lines 21-28, of the specification clearly teaches a conventional image coding apparatus and a conventional image decoding apparatus that can identify a coding mode (i.e., intra coding mode) of the VOP data only after it analyzes the coding type information (corresponding to the claimed intra-coded indicator information), and as a result, the coding type information indicating only the intra-coding, and a decoder in the decoding side for inherently multiplexing, into an image coded signal encoded by said encoder, coding type information (i.e., intra-coded indicator information) indicating all the images contained in a moving picture sequence are intra-coded.

For the foregoing reasons, it is believed the rejection should be sustained.

Art Unit: 2624

Drawings

2. The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 3/17/2003 have been approved. A proper drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The correction to the drawings will not be held in abeyance.

Claim Rejections - 35 U.S.C. § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

4. Claims 1-17 and 19 are rejected under 35 U.S.C. 102(a) as being anticipated by the prior art described in the application (PAA).

Regarding claim 1, the PAA discloses:

- an analyzer for analyzing, in a coded bit stream, intra-coded indicator information indicating whether all images in a moving picture sequence are intra-coded or not (specification, page 3, lines 21-28);

- a decoder for decoding images contained in the moving picture sequence in response to the intra-coded indicator information analyzed by said analyzer (specification, page 3, lines 21-28,

Art Unit: 2624

in which the decoding side inherently decodes images contained in the moving picture sequence in response to the intra-coded indicator information, i.e., coding type information).

Regarding claim 10, since this claim is a method claim corresponding to apparatus claim 1, the discussion of claim 1 applies hereto.

Regarding claim 2, the PAA teaches the moving picture sequence is a video object layer VOL consisting of moving image object VO of given shape (Fig. 1; and specification, page 2, lines 26-29).

Regarding claim 3, the PAA teaches the moving picture sequence is a video object plane group GOV constituting a video object layer VOL consisting of moving image objects VO of given shape (Fig. 1; and specification, page 2, lines 26-29).

Regarding claims 4 and 11, the PAA teaches decoder decodes the images in the moving picture sequence with decimating them in response to the intra-coded indicator information and display rate information designated on the image decoding apparatus side (specification, page 3, line 30 - page 4, line 7).

Regarding claims 5-9 and 12-16, the PAA teaches analyzing, in a coded bit stream, coding side display rate information, and identifies images to be decoded in response to the coding side display rate information analyzed and to display rate information designated on the image decoding side, and wherein said decoder decodes the images contained in the moving picture sequence with decimating them in response to the intra-coded indicator information and display time information about the images to be decoded (specification, page 3, line 30 - page 4, line 7).

Art Unit: 2624

Regarding claim 17, the PAA discloses:

- an encoder for coding images contained in a moving picture sequence in response to intra-coding instruction information indicating whether all images in a moving picture sequence are intra-coded or not (specification, page 3, lines 21-28, referring to image coding apparatus);

- a decoder for inherently multiplexing, into an image coded signal encoded by said encoder, intra-coded indicator information indicating all the images contained in a moving picture sequence are intra-coded or not (specification, page 3, lines 21-28, referring to image decoding apparatus) in which the decoding side inherently decodes images contained in the moving picture sequence in response to the intra-coded indicator information, i.e., coding type information).

Regarding claim 19, since this claim is a method claim corresponding to apparatus claim 17, the discussion of claim 17 applies hereto.

Allowable Subject Matter

5. Claims 18 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 18 and 20, the prior art, taken either singly or in combination, does not teach:

Art Unit: 2624

- said multiplexer multiplexes for each moving picture sequence, when the intra-coded indicator information indicates that all the images contained in a moving picture sequence are to be intra-coded, display time multiplex identification information that indicates whether display time information of all the images contained in the moving picture sequence is to be multiplexed or not, and multiplexes for each moving picture sequence, when the display time multiplex identification information indicates that the display time information of all the images contained in the moving picture sequence is to be multiplexed, the display time information of all the images contained in the moving picture sequence.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2624

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Hong Do whose telephone number is (703) 308-6720.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700 or 4750.

The fax phone number for this Group is (703) 872-9314.

May 30, 2003.

A handwritten signature in black ink, appearing to be "Anh Hong Do", written in a cursive style.